

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: Chair Gary MacLaren, on February 15, 2011 at 3:00 PM, in Room 172
Capitol

ROLL CALL

Members Present:

Rep. Michael (Mike) More, Vice Chair (R)
Rep. Liz Bangerter (R)
Rep. Dick Barrett (D)
Rep. Bryce Bennett (D)
Rep. Tom Berry (R)
Rep. Edward Greef (R)
Rep. Kris Hansen (R)
Rep. Pat Ingraham (R)
Rep. James Knox (R)
Rep. Steve Lavin (R)
Rep. Sue Malek (D)
Rep. Mary McNally (D)
Rep. Jerry O'Neil (R)
Rep. Matthew M. Rosendale Sr (R)
Rep. Derek Skees (R)
Rep. Wayne Stahl (R)
Rep. Kathy Swanson (D)
Rep. Gordon Vance (R)

Members Excused: Rep. Gary MacLaren, Chair (R), Rep. Michele Reinhart, Vice Chair (D) ,

Members Absent: None

Staff Present: Helen Thigpen, Legislative Branch
Phoebe Williams, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 400, 2/10/2011; HB 403, 2/10/2011; HB 426, 2/10/2011; HB
465, 2/10/2011
Executive Action: HB 304, HB 338, HB 346, HB 366, HB 426

HEARING ON HB 400

00:02:23 Opening Statement by Sponsor:

Rep. Elsie Arntzen (R), HD 53, opened the hearing on HB 400, Revise emergency response laws including fee.

00:05:00 Rep. Reinhart joined meeting

Proponents' Testimony:

00:06:26 Dwight Easton, Farmers Insurance Group

[EXHIBIT\(loh37a01\)](#)

00:10:35 Tom Eddy

[EXHIBIT\(loh37a02\)](#)

00:11:01 Rep. MacLaren joined meeting

00:15:20 Jeff Meslin

00:17:01 Bruce Spencer, Allstate

00:19:16 Greg VanHorssen, State Farm Insurance

00:21:59 Nancy Schlepp, Montana Tax Payers Association

00:22:48 Alison Meslin

[EXHIBIT\(loh37a03\)](#)

00:26:00 James Sisler

00:30:19 Jacqueline Lenmark, American Insurance Association

Opponents' Testimony:

00:31:41 Leonard Lundby, Montana Fire Alliance

00:33:05 Bruce Charles, Chief West End Volunteer Fire and Rescue, Mineral County

00:38:51 Bud Siderits, Fire Chief Jefferson City Volunteer Fire Department

00:45:05 Brett Greger, Wolf Creek Montana

00:49:35 Butch Weedon, Gore Hill Fire District

[EXHIBIT\(loh37a04\)](#)

00:51:09 Dan Babcox, Park County Rural Fire District

00:53:20 Rep. Solomon, Chairman Ronan Rural Fire Board

00:55:25 Dan Miller, Ronan Volunteer Fire Department

00:56:12 Gordon Hendrick, Mineral County Fire District

00:57:26 Rich Cowger, Columbus Rural Fire Department

00:58:04 Gene Cantley Belt Rural Fire District

00:58:56 John MacDonald, City of Missoula

00:59:30 Alec Hansen, Montana League of Cities and Towns

01:00:19 Joseph Sands, Professional Fire Fighters

01:00:33 Chris Kukulski, Bozeman City Manager

01:01:03 Gordon Morris, Lewis and Clark County

01:01:18 Gilbert More, Gallatin County

01:01:31 Ross Johnson, Gallatin River Ranch Fire Department

[EXHIBIT\(loh37a05\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

01:02:06 Rep. Ingraham
01:02:36 Bruce Charles
01:03:29 Rep. Ingraham
01:03:35 Bruce Charles
01:03:58 Rep. Ingraham
01:04:28 Bruce Charles

Closing by Sponsor:

01:05:42 Rep. Arntzen

HEARING ON HB 465

Opening Statement by Sponsor:

01:10:19 Rep. Kathleen Williams (D), HD 65, opened the hearing on HB 465, Allow development agreements.

Proponents' Testimony:

01:12:58 Tim McHarg, City of Bozeman
01:17:49 Mayor Jeff Krauss, Bozeman
01:20:52 Chris Budeski
01:23:49 Darrell Schliem, Bozeman Chamber of Commerce
01:25:02 Chris Kukulski, Bozeman City Manger
01:26:14 Alec Hansen, Montana League of Cities and Towns

Opponents' Testimony:

01:27:44 Dustin Stewart, Montana Building Industry Association
01:30:29 Andy Skinner, Helena Montana
01:33:51 Gordon Morris, Lewis and Clark County
01:34:32 Glenn Oppel, Montana Association of Realtors
01:34:54 Tara DePuy, Montana Association of Counties
01:41:21 Linda Stahl, Montana Association of Planners

Informational Testimony: None

Questions from Committee Members and Responses:

01:43:01 Rep. Reinhart
01:43:47 Tim McHarg
01:44:27 Rep. Reinhart

01:44:50 Tara DePuy
01:45:04 Rep. Reinhart
01:45:16 Tara DePuy
01:45:33 Rep. Stahl
01:45:57 Tara DePuy

Closing by Sponsor:

01:46:57 Rep. Williams

HEARING ON HB 403

Opening Statement by Sponsor:

01:50:04 Rep. Gary MacLaren (R), HD 89, opened the hearing on HB 403, Revise cluster development law.

Proponents' Testimony:

01:51:50 Glen Marx, Executive Director Montana Association of Land Trusts
01:55:39 Linda Stahl, Missoula County, Montana Association of Planners
01:56:02 Gordon Morris, Lewis and Clark County
01:56:16 John MacDonald, City of Missoula
01:56:30 Tara DePuy, Land Use Attorney Montana Association of Counties

Opponents' Testimony:

01:58:34 Glen Oppel, Montana Association of Realtors

Informational Testimony: None

Questions from Committee Members and Responses:

02:01:01 Rep. Skees
02:01:34 Glen Marx
02:02:18 Rep. Skees
02:02:40 Glen Marx
02:03:04 Rep. Skees
02:03:27 Tara DePuy
02:03:59 Rep. Skees
02:04:24 Tara DePuy
02:04:54 Rep. Rosendale
02:05:35 Linda Stahl
02:06:03 Glen Marx
02:06:45 Rep. Rosendale
02:07:00 Rep. Barrett

Closing by Sponsor:

02:07:37 Rep. MacLaren

[EXHIBIT\(lah37a06\)](#)

HEARING ON HB 426

Opening Statement by Sponsor:

02:09:03 Rep. Gary MacLaren (R), HD 89, opened the hearing on HB 426, Revise incorporation laws to coincide with annexation laws.

[EXHIBIT\(lah37a07\)](#)

Proponents' Testimony:

02:10:40 John Ostlund, Montana Association of Counties, Yellowstone Chapter
02:12:26 Tom Ebzery, Exxon Mobile

02:13:34 Dave Galt, Montana Petroleum Association
02:13:53 David Hoffman, PPL Montana
02:14:40 Harold Blattie, Montana Association of Counties

Opponents' Testimony:

02:15:19 Alec Hansen, Montana League of Cities and Towns
02:17:40 Senator Taylor Brown
02:21:21 Rep. Jonathon McNiven
02:24:42 Bob Riehl
02:27:28 Carlotta Hecker
02:29:07 Don Reed

Informational Testimony: None

Questions from Committee Members and Responses:

02:32:35 Rep. Skees
02:32:56 Sen. Brown
02:33:07 Rep. Knox
02:33:30 Sen. Brown
02:34:32 Rep. Knox
02:34:46 Rep. Moore
02:34:51 Sen. Brown
02:35:08 Rep. Berry
02:36:01 Bob Reihl
02:37:01 Rep. Berry
02:37:11 Bob Reihl

Closing by Sponsor:

02:37:58 Rep. MacLaren

02:39:04 Recess
02:45:59 Reconvene

EXECUTIVE ACTION ON HB 304

02:46:42 **Motion:** Rep. More moved that **HB 304 DO PASS.**

02:46:47 **Substitute Motion/Vote:** Rep. Vance made a substitute motion that **HB 304 BE TABLED.** Substitute Motion carried 17-3 by voice vote with Rep. MacLaren, Rep. More and Rep. Stahl voting no.

EXECUTIVE ACTION ON HB 366

02:48:15 **Motion:** Rep. More moved that **HB 366 DO PASS.**

02:49:05 **Motion:** Rep. Rosendale moved that **HB 366 BE AMENDED.**

EXHIBIT(loh37a08)

02:50:42 **Substitute Motion:** Rep. O'Neil made a substitute motion that **HB 366 BE AMENDED.**

EXHIBIT(loh37a09)

Discussion:

02:51:48 Rep Knox

02:52:27 Rep. MacLaren

02:52:32 **Vote:** Motion failed 1-19 by voice vote with Rep. O'Neil voting aye.

02:53:45 Rep O'Neil

02:54:12 Rep. Reinhart

02:54:49 Rep. Barrett

02:55:12 Rep. Stahl

02:55:45 Rep. Hansen

02:56:08 **Vote:** Motion carried 17-3 by voice vote with Rep. More, Rep. O'Neil and Rep. Vance voting no.

02:56:28 **Motion:** Rep. Rosendale moved that **HB 366 DO PASS AS AMENDED.**

Discussion:

02:56:53 Rep. Reinhart

02:59:28 Rep. Moore

03:00:25 Rep. Rosendale

03:01:12 **Vote:** Motion carried 13-7 by roll call vote with Rep. Barrett, Rep. Bennett, Rep. MacLaren, Rep. Malek, Rep. McNally, Rep. Reinhart and Rep. Swanson voting no.

EXECUTIVE ACTION ON HB 346

03:02:41 **Motion:** Rep. More moved that **HB 346 DO PASS.**

Discussion:

03:02:52 Helen Thigpen

03:03:22 Rep. Barrett

03:04:59 Rep. Vance

03:05:28 Rep. Moore

03:06:00 Rep. Vance

03:06:06 Rep. MacLaren

03:06:40 Rep. Malek

03:07:21 **Vote:** Motion carried 19-1 by voice vote with Rep. Knox voting no.

EXECUTIVE ACTION ON HB 338

Previous Executive Action on HB 338 occurred on February 10, 2011.

EXHIBIT(loh37a10)

03:08:16 **Motion/Vote:** Rep. Ingraham moved that **HB 338 DO PASS AS AMENDED**.
Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 426

03:09:22 **Motion:** Rep. Reinhart moved that **HB 426 DO PASS**.

03:09:30 **Motion/Vote:** Rep. Reinhart moved that **HB 426 BE AMENDED**. Motion carried
19-1 by voice vote with Rep. O'Neil voting no. (see exhibit 7 for amendment)

03:10:12 **Motion/Vote:** Rep. Reinhart moved that **HB 426 DO PASS AS AMENDED**.
Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 03:11:52

Phoebe Williams, Secretary

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Additional Documents:

EXHIBIT([loh37aad.pdf](#))